



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2016

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P. (MD) .No.14051 of 2016

1.Balaji

2.S.Saravanan

.. Petitioners/Accused

Vs.

1.The Deputy Superintendant of Police,
Sirkazhi,
Nagapattinam District.

2.State rep.by

Inspector of Police,
Anaikarachatram Police Station,
Nagapattinam District,
Crime No.369 of 2016.

..Respondents/Complainants

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the I Additional District & Sessions Judge PCR Court, Thanjavur to accept the surrender of the petitioners and consider their bail application on the same day on merits in relating to Cr.No.369 of 2016 dated 27.7.2016 on the file of the respondent police.

For Petitioners : Mr.S.Rajaprabu

For Respondents : Mr.A.P.Balasubramani

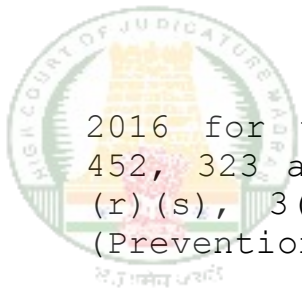
Government Advocate (Criminal side)

ORDER

It is an application seeking a direction to the I Additional District & Sessions Judge, PCR Court, Thanjavur to consider the bail application of the petitioners on the same day of their surrender in Crime No.369 of 2016.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Cr1.side) for the respondents.

3.The sum and substance of the complaint against the petitioners/A4 and 7 is that two days prior to occurrence, the petitioners caused nuisance in a public place and tried to attack the defacto complainant and therefore, the defacto complainant informed the occurrence to the police. Due to that, on 27.07.2016, the petitioners came to the house of the defacto complainant with deadly weapons, abused in filthy language and also used caste name. The said complaint has been registered in Crime No.369 of



2016 for the alleged offences under Sections 147, 148, 294(b), 452, 323 and 506(ii) IPC and Section 3(1) of TNPPDL Act r/w 3(1) (r) (s), 3(2) (v-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Amendment Ordinance Act, 2015.

4. It is represented by the learned counsel for the petitioners that due to previous enmity, the petitioners have been falsely implicated in the case and they have not committed any offence. The learned counsel has also represented that in view of the specific bar under Section 18 of the said Act, the petitioners cannot move any anticipatory bail application and therefore, the petitioners have come up with this petition.

5. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that no one has sustained injury and major part of investigation is over.

6. Having regard to the facts and circumstances of the case, the petitioners are directed to surrender before the Court concerned within ten days from the date of receipt of a copy of this order and file a bail application. The Court concerned is directed to accept the surrender of the petitioners in Crime No.369 of 2016 and consider their bail application and dispose of the same on merits and in accordance with law, on the same day of their surrender.

7. With the above direction, this petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The I Additional District & Sessions Judge,
PCR Court, Thanjavur

2. The Deputy Superintendant of Police,
Sirkazhi, Nagapattinam District.

3. The Inspector of Police,
Anaikarachatram Police Station, Nagapattinam District,

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.RAJAPRABU, Advocate, SR No.42482